

September 11, 2020

**VIA ECF**

Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
United States Courthouse  
40 Foley Square, Courtroom 618  
New York, NY 10007

**MEMO ENDORSED**

Re: *United States v. Jose Rivera*  
Docket No. 18-Cr-744 (KPF)

Dear Judge Failla:

Together with Richard B. Lind, I represent Jose Rivera in the above matter, who is presently scheduled to be sentenced on Wednesday October 7th at 3:00 PM. I write to request an approximate 45-day adjournment of sentencing, to a date in either late November or early December, that is convenient to the Court. The government, through AUSA Michael Longyear, consents to this request.

The ongoing COVID-19 pandemic has, to date, presented a number of difficulties in preparing for Mr. Rivera's upcoming sentencing proceeding. Mr. Lind and I have been unable to meet with Mr. Rivera in order to discuss facts pertinent to our sentencing submission. We also need additional time to gather documents that are relevant to Mr. Rivera's sentencing.

We thank the Court for its consideration. Should the Court require any further information, please do not hesitate to contact my office at any time.

Our continuing best wishes to the Court and your staff.

Respectfully submitted,

  
Joshua J. Horowitz  
Richard B. Lind

JJH/

cc: All counsel (via ECF)

